



DEPARTMENT OF HEALTH & HUMAN SERVICES  
PUBLIC HEALTH SERVICE  
FOOD AND DRUG ADMINISTRATION

d18546  
PHILADELPHIA DISTRICT

900 U.S. Customhouse  
2nd and Chestnut Streets  
Philadelphia, PA 19106  
Telephone: 215-597-4390

WARNING LETTER

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

98 PH-22

June 8, 1998

Quyen Tran, President  
N & S Market, Inc  
330 N. Ninth Street  
Philadelphia, PA 19107

Dear Ms. Tran:

During the period of May 4 through 28, 1998, Investigators of the U. S. Food & Drug Administration (FDA) conducted an inspection of your food warehouse located at 330 N. Ninth street Philadelphia, PA. At the conclusion of the inspection you were issued a form FDA-483 which delineated a number of gross insanitary conditions in your food warehouse. These conditions cause foods held in your warehouse to be adulterated within the meaning of Sections 402(a)(3) and 402 (a)(4) of the Food, Drug and Cosmetic Act (the Act), as follows:

Section 402(a)(3), food items were adulterated as described below.

1. A lot of five cartons of rice vermicelli, sample 98-785-478. Two live rodents were observed in one of the cartons. This carton also exhibited several gnaw holes ranging in size from 1/4" to 6" x 6". One bag in this carton had rodent excreta pellets on it. Four cartons exhibited urine stains from 1/4" to 6" diameter when viewed with a black light lamp. Two of the five cartons were observed to have 35 rodent excreta pellets in them.
2. A lot of eleven 50 pound net bags of onions, sample 98-785-476. Rodent activity was evidenced by the presence of excreta pellets on different bags of onions on successive days. Also five onions exhibited urine stains when viewed with a black light lamp.
3. A lot of seven boxes of twenty four 16 oz. jars each of Chan Moon Kee Bean Sauce, sample 98-785-475. Rodent activity was evidenced on 4 of the 7 boxes. These boxes showed urine stains from 1/4" diameter to 1/8" by 6" under black light.
4. A lot of six cartons of twenty four 550 ml bottles of Soy

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Sauce, sample 98-785-479. Three of the cartons had 17 rodent excreta pellets on them and two showed urine stains up to 1/4" X 6" under black light.

5. Rodent excreta pellets were observed on the following products:

- a) On five gallon buckets of Mandarin Soy Sauce and Yipin Soy Sauce in the rear warehouse.
- b) On a lot of twenty three cases of Del Monte Pineapple Juice in the #2 walk-in box.

Section 402 (a)(4) products are adulterated by being held under unsanitary conditions whereby they may have become contaminated with filth, or whereby they may have been rendered injurious to health.

1. Rodents, cats and birds were observed inside your buildings's food storage areas.

2. Rodent and cat excreta was observed throughout the food storage areas. For example:

- a) Rodent pellets were observed in the #1 walk in box in the rear warehouse.
- b) Rodent pellets and cat excreta were observed in the men's locker room.
- c) Cat excreta was observed in several locations on the floor of the front warehouse along the walls and several locations in the rear warehouse.
- d) Rodent pellets were observed inside walk-in box #2.
- e) Rodent pellets and gnawing from the door were observed inside walk-in box #3.
- f) Rodent pellets were observed on the floor outside walk-in box #3.
- g) Rodent pellets were observed on the floor of the freezer.
- h) Rodent pellets were observed in various locations on the floor of both the front and rear warehouses.

It is apparent from the items cited above that your firm has serious sanitation problems. These conditions are caused in part by structural defects and poor housekeeping practices at your firm such as:

- 1) Spaces under closed doors which provide entry for rodents.
- 2) Doors left open and untended during business hours providing access for pests.
- 3) Unscreened drains and ducts which may provide entry for rodents.

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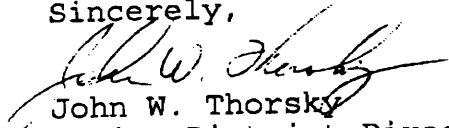
4) Debris piled along the exterior walls of the building which provides harborage for pests.

We acknowledge your voluntary destruction of the rice sticks, onions, bean sauce, soy sauce and damaged canned goods on May 6, 1998. However, the sanitation and structural problems cited above must be corrected to assure the safe storage of foodstuffs in your warehouse.

We acknowledge your promise to the Investigators that you will correct all deficiencies observed. However, you should take prompt action to correct these deficiencies. Failure to correct them promptly may result in enforcement action without further notice, such as seizure and/or injunction. You should notify this office in writing, within 15 working days of receipt of this letter, of the specific steps you have taken to correct the noted violations. If corrective action cannot be completed within 15 working days, state the reason for the delay and the time within which the corrections will be completed.

Your reply should be sent to the attention of William W. Knipe, Compliance Officer, at the address noted above.

Sincerely,

  
John W. Thorsky  
Acting District Director

cc: PENNSYLVANIA STATE DEPARTMENT OF AGRICULTURE  
Bureau of Foods and Chemistry  
2301 North Cameron Street  
Harrisburg, PA 17120-9408  
Attn: Division of Food Control  
Leroy C. Corbin, Jr., Director

George Zameska, Chief  
Office of Food Protection  
City of Philadelphia  
Department of Public Health  
321 University Avenue  
Philadelphia, PA 19104